

# *Town of Lovettsville*

## **Public Hearing**

**TO:** Planning Commission

**FROM:** Melissa Hynes, Zoning Administrator

**DATE:** August 22, 2012

**SUBJECT:** LVCU 2012-0003  
Used Automobile Sales at 4 N. Berlin Pike  
Conditional Use Permit

### **PURPOSE:**

Consider a request by Gary Cramer, for approval of a Conditional Use Permit from section 3-13 (c)(v) of the Lovettsville Zoning Ordinance, to allow for the operation of retail sales of used automobiles, with the outdoor storage/display of automobiles, as a conditionally permitted use. The parcel is located at 4 North Berlin Turnpike.

### **BACKGROUND:**

Mr. Gary Cramer is the property owner of 4 North Berlin Pike. There is one main building located on the property that totals 3,780 square feet in gross floor area. Mr. Said Bassam would like to purchase the property and allow Quarter Branch Technologies to remain as a tenant within the main building. Mr. Bassam would also like to use the remaining space, which formerly housed Loudoun Valley Concrete, to operate retail sales of used automobiles. If this Conditional Use Permit is approved, Mr. Bassam has plans to take ownership of the property.

### **DISCUSSION:**

The property, 4 North Berlin Pike, is located in the C-2 Mixed Use Business Zoning District, where retail sales and/or service with outdoor storage and/or display is a conditionally permitted use. The property behind 4 North Berlin Pike is 2A North Berlin Pike, which is currently vacant and it is zoned I-1 Light Industrial. Lovettsville BP, an automobile repair shop, is located on the north side of the property at 8 North Berlin Pike and it is zoned C-2 Mixed Use Business. Bonnie's Country Kitchen is located on the south side of the property at 2 North Berlin Pike and is also zoned C-2 Mixed Use Business. Across from 4 North Berlin Pike is the African Methodist Episcopal Church. There are no residential properties adjacent to the subject parcel.

Mr. Bassam's used car business will operate within a 7,000 square foot area at the rear of the property. Currently the rear of the property is fenced in by a chain link security fence and the area within the fence is full of weeds. Mr. Bassam plans to remove weeds and to install new landscaping.

The intention of Mr. Bassam is to keep his used automobile sales business separate from the other tenant of the building, Quarter Branch Technologies. As a professional company, Mr. Bassam does not want to disturb or interfere with Quarter Branch Technologies' business operations.

Staff's biggest concern is the entrance into the property because it is currently graveled and has no defined entrance or exit. This gravel area is 126 feet in length and 30 feet in width. This wide-open entrance raises safety issues because vehicles enter and exit the property from all angles. This creates a dangerous situation for people going to 4 North Berlin Pike as well as those people driving on North Berlin Pike.

Staff would like to see a defined entrance, installed with a hard surface material, in order to create a safe method to enter or exit 4 North Berlin Pike. Furthermore, since the property is located within the gateway corridor into Lovettsville, it is important to enhance the visual appeal of the property. To transform this gravel area with defined entrances and landscaping will boost the curb appeal of the property. Staff would like to one (1) or two (2) commercial entrances installed with concrete or asphalt, and the remaining area should be landscaped. This would mean at the minimum of 900 square feet in area or at the maximum of 1,800 square feet in area to be resurfaced with a hard material.

Loudoun County Department of Planning had the opportunity to review this application and had no comment.

#### **RECOMMENDATION:**

Staff recommends approval of this Conditional Use Permit request with the following proposed conditions:

1. Install a buffer area between subject property and 2A North Berlin Pike with a continuous hedge of shrubs or evergreen trees, minimum of six-foot in height at maturity, three-foot in height at planting; or a continuous six-foot tall opaque fence (such as board on board).
2. Outdoor lighting shall be installed to prevent off-site spillage and glare, in consideration of the adjacent property owners.
3. The display of automobiles for sale shall remain behind the front building line of the main building.
4. The outdoor lot shall be cleared of weeds and other debris; as well as it shall be professionally graveled or cemented to create a surface more conducive and appropriate for retail sales of automobiles.

5. Install a minimum of one (1) or a maximum of two (2) commercial entrances from the main road, thirty (30) foot in width, resurfaced with a hard material such as asphalt or cement but not gravel.
6. Install landscape islands in the areas that are not part of the commercial entrance(s); including one (1) landscape island to separate the 4 North Berlin parking lot from the 2 North Berlin parking lot. Grass shall be planted within the landscape islands and 25% of the total landscape areas will be planted with shrubs and flowers; and plant at least two (2) understory trees along the street frontage.
7. All plantings described in these conditions shall be installed before the conditionally permitted use is open to the public; all existing and new landscape material shall be maintained in good condition.
8. Automobile repair and detail work ancillary to automobile sales shall be allowed on-site and not allowed for customers to bring automobiles in for repair or detail work; specifically the business shall operate as a retail sales business and not as an auto repair service business or car wash business.
9. There shall be no use of outdoor speakers.
10. The business shall not have more than 30 automobiles for sale or lease on-site at any given time.
11. Separate parking spaces, from the automobile sales spaces and from other tenants of the main building, shall be provided for employees and customers; specifically provide a minimum of one (1) parking space per employee and reserve four (4) parking spaces for customers.
12. Ten (10) spaces shall be reserved for other tenants located within the main building.

**DRAFT MOTIONS:**

1. "I move that the Lovettsville Planning Commission recommend approval of the Conditional Use Permit with the conditions as recommended."
2. "I move that the Lovettsville Planning Commission not recommend approval of the Conditional Use Permit."

**ATTACHMENT:**

1. LVCU 2012-0003 Conditional Use Application

## 2. LVCU 2012-0003 Property Narrative

# Town of Lovettsville

P.O. Box 209 | 6 East Pennsylvania Avenue  
Lovettsville, VA 20180  
(540) 822-5788

## Conditional Use Permit Application

Property Owner's Name: Gary D + Cynthia O Cramer

Fee: \$350.00

Address (Mailing) P.O. Box 159

E-Mail: LVCCramer@Aol.com

Town/City: McHenry

State: MD

Zip: 21541

Telephone: Work 301-387-8833

Mobile 304-288-9177

Fax 301-387-0773

Owner's Representative (If Applicable): Said J. Bassam

Address (Mailing) 25901 Quinlan Street

E-Mail: fs2117@gmail.com

Town/City: South Riding

State: VA

Zip: 20152

Telephone: Work 703-542-5821

Mobile 703-362-6198

Fax \_\_\_\_\_

### Subject Parcel Information:

Location (Street Address): 4 N Berlin Turnpike

PIN (Property Identification Number): 3692090015000

Lot Size: 3780 sqft. / .45 acres

Current Zoning District (example: C-1): C-2

Conditional Use Being Requested (Code Section): (c) (v)

Conditional Use Being Requested (Description of Use): \_\_\_\_\_

Identify any existing improvements (example: 2 story brick house): \_\_\_\_\_

I hereby certify that I am the property owner and this application in all its parts, including the accompanying development plan proposal, is complete, correct and in compliance with the applicable Town of Lovettsville Ordinances, to the best of my knowledge. I acknowledge responsibility for all engineering, legal, zoning and planning review fees incurred by the Town in connection with the review of this application, and all outstanding debts owed to the Town of Lovettsville and Loudoun County have been paid prior to filing this application.

Gary D Cramer  
Cynthia O Cramer

Gary D Cramer

Cynthia O Cramer

7-28-12

Signature of Property Owner(s)

Printed Name of Property Owner(s)

Date

(Attach sheet for additional Property Owners with their printed name(s) and date.)

### Office Use Only

Date Application Received \_\_\_\_\_

Application Complete \_\_\_\_\_

Application Fee Paid \_\_\_\_\_

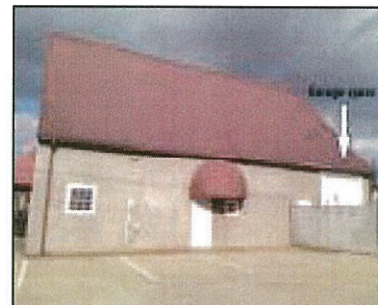
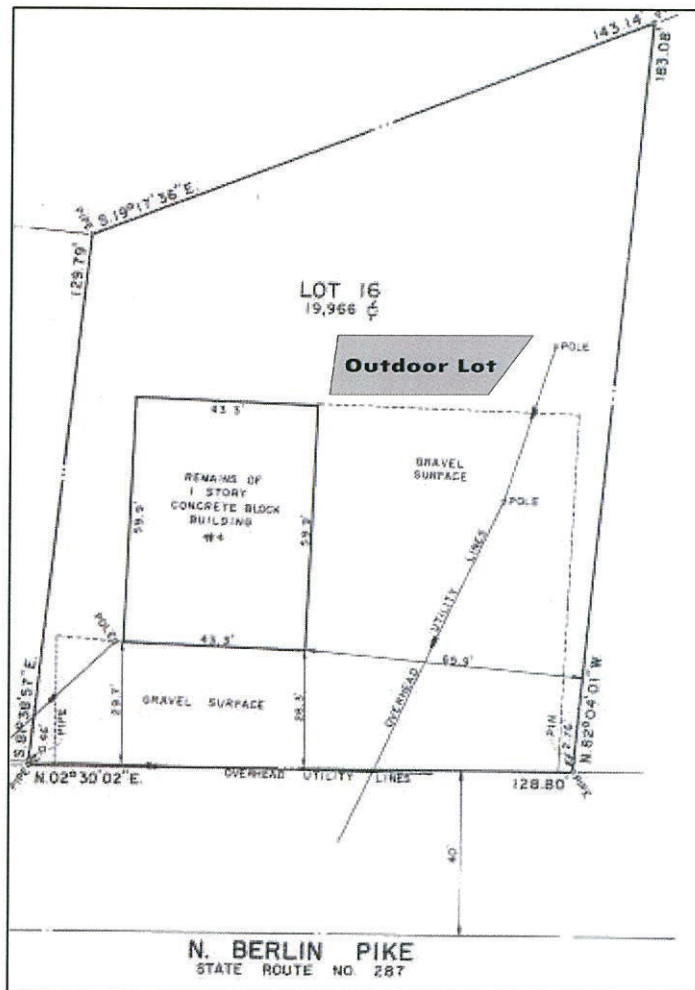
Loudoun County Personal Property Taxes Paid \_\_\_\_\_

All Fees/Taxes Owed to Town Have Been Paid (Including Auto Decal) \_\_\_\_\_

### Property Narrative:

The property in question is located at **4 N Berlin Turnpike / Lovettsville, VA 20180**. The building is currently located in a C-2 zoning area, and is being leased by Quarterbranch Technologies, Inc, a company that offers specialized Radar Cross-section (RCS) measurement services. They will continue to occupy the space until at least November 2013.

The building has two floors (EXHIBIT A), a large fenced-in outdoor lot (EXHIBIT B, EXHIBIT C), and a relatively large, unoccupied garage area that is currently empty and remains unused (EXHIBIT D). We'd like to ask the Town of Lovettsville for a 'Conditional Use Permit' to convert the unused garage and outdoor lot into a small used auto lot.



The intended changes to the property are minor, and are as follows:

- (1) The landscape and weeds in the outdoor lot (above) will be removed and professionally grveled or cemented to create a surface more conducive and appropriate for driving cars onto.

- (2) The current garage door will be replaced with a walk-thru garage door in order to allow access to the garage space without being forced to walk through the main entrance or lift the garage door.
- (3) The space in the garage is presently bare-boned. We intend to cover the cement walls with insulation and drywall, and to create an aesthetically pleasing office space with two desks.
- (4) We intend to replace the copy on the sign (in front of the property) from *Loudoun Valley Concrete, Inc.* to *Saidi Motors, Inc.*

We do not intend to make any dramatic changes or renovations to the exterior or interior of the building aside of the aforementioned. Our goal is to make use of the back indoor and outdoor space, and do so in a way that (a) will not disturb the current tenant's operations or surrounding neighbors, and (b) will enhance the aesthetic appeal of the property.

**Hours of Operation:**

Day	Open	Closed
Monday	10:00am	4:00pm
Tuesday	10:00am	4:00pm
Wednesday	<i>Closed</i>	
Thursday	10:00am	4:00pm
Friday	10:00am	4:00pm
Saturday	10:00am	4:00pm
Sunday	<i>Closed</i>	

PARID: 369-20-9015-000  
CRAMER, GARY D & CYNTHIA O

Tax Map #: //9A3/2////16/  
4 BERLIN PIKE

**Owner**

Name	CRAMER, GARY D & CYNTHIA O,
Care Of	
Mailing Address	PO BOX 159
.	
.	MC HENRY MD 21541 0159
Instrument Number	
Page	
Book	

**Parcel**

Primary Address	4 BERLIN PIKE
State Use Class	Commercial/Indust
Total Land Area (Acreage)	.45
Total Land Area (SQFT)	
Election District	CATOCTIN
Billing District	Lovettsville Town
Special Tax District	None
Neighborhood	415
Living Units	
Structure Occupancy	AUTOMOTIVE BUILDINGS
Condominium Garage Unit or Parking Space	NO
Subdivision	
Affordable Dwelling Unit (Y/N)	N

**Legal Description**

Legal Description	KEISTER SUB DIV L.16
.	2097--1766
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**General Information**

Loudoun County is providing public record information as a public service in accordance with Virginia Code Title 58.1-3122.2 (1998). The Loudoun County Assessor of Real Estate provides annual valuations and maintenance of fair market values for equitable assessments on all types of real property.

The property information made available on this site includes ownership and deed information, legal description, sales information, assessment values and house characteristics and can be searched by Parcel ID Number, Address and Tax Map Number. The site is updated weekly. Parcels are linked to the Loudoun County GIS, with map overlays displaying boundary and environmental information such as topography, soils, flood plain and major roads.

Condominium garage units or assigned parking spaces associated with condominiums may have separate parcel identification numbers - and may be assessed separately.

**Source:** Loudoun County Office of the Assessor